
HOUSE BILL No. 1069

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-5-6.

Synopsis: Local ordinances to reduce speed limits. Provides that a local authority may decrease the maximum speed limit on a highway within an urban district in the local authority's jurisdiction to 20 miles per hour without performing an engineering and traffic investigation.

Effective: July 1, 2008.

Buell

January 8, 2008, read first time and referred to Committee on Rules and Legislative Procedures.

C
o
p
y



Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1069

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-5-6, AS AMENDED BY P.L.169-2006,
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2008]: Sec. 6. (a) Except as provided in subsection (e),
4 whenever a local authority in the authority's jurisdiction determines that
5 the maximum speed permitted under this chapter is greater or less than
6 reasonable and safe under the conditions found to exist on a highway
7 or part of a highway, the local authority may determine and declare a
8 reasonable and safe maximum limit on the highway. The maximum
9 limit declared under this section may do any of the following:
10 (1) Decrease the limit within urban districts, but not to less than
11 twenty (20) miles per hour.
12 (2) Increase the limit within an urban district, but not to more than
13 fifty-five (55) miles per hour during daytime and fifty (50) miles
14 per hour during nighttime.
15 (3) Decrease the limit outside an urban district, but not to less
16 than thirty (30) miles per hour.
17 (4) Decrease the limit in an alley, but to not less than five (5)



C
o
p
y

1 miles per hour.

2 (5) Increase the limit in an alley, but to not more than thirty (30)
3 miles per hour.

4 The local authority must perform an engineering and traffic
5 investigation before a determination may be made to change a speed
6 limit under subdivision (2), (3), (4), or (5). ~~or before the speed limit~~
7 ~~within an urban district may be decreased to less than twenty-five (25)~~
8 ~~miles per hour under subdivision (1).~~

9 (b) A local authority in the authority's jurisdiction shall determine
10 by an engineering and traffic investigation the proper maximum speed
11 for all local streets and shall declare a reasonable and safe maximum
12 speed permitted under this chapter for an urban district. However, an
13 engineering and traffic study is not required to be performed for the
14 local streets in an urban district under this subsection if the local
15 authority determines that the proper maximum speed in the urban
16 district is not less than ~~twenty-five (25)~~ **twenty (20)** miles per hour.

17 (c) An altered limit established under this section is effective at all
18 times or during hours of darkness or at other times as may be
19 determined when appropriate signs giving notice of the altered limit are
20 erected on the street or highway.

21 (d) Except as provided in this subsection, a local authority may not
22 alter a speed limit on a highway or extension of a highway in the state
23 highway system. A city or town may establish speed limits on state
24 highways upon which a school is located. However, a speed limit
25 established under this subsection is valid only if the following
26 conditions exist:

- 27 (1) The limit is not less than twenty (20) miles per hour.
- 28 (2) The limit is imposed only in the immediate vicinity of the
- 29 school.
- 30 (3) Children are present.
- 31 (4) The speed zone is properly signed.
- 32 (5) The Indiana department of transportation has been notified of
- 33 the limit imposed by certified mail.

34 (e) A local authority may decrease a limit on a street to not less than
35 fifteen (15) miles per hour if the following conditions exist:

- 36 (1) The street is located within a park or playground established
- 37 under IC 36-10.
- 38 (2) The:
- 39 (A) board established under IC 36-10-3;
- 40 (B) board established under IC 36-10-4; or
- 41 (C) park authority established under IC 36-10-5;
- 42 requests the local authority to decrease the limit.

C
o
p
y



- 1 (3) The speed zone is properly signed.

**c
o
p
y**

